



Town of Barnstable

Board of Health

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BOARD OF HEALTH MEETING MINUTES

Tuesday, March 10, 2009 at 3:00 PM
Town Hall, Hearing Room
367 Main Street, Hyannis, MA

I. Hearings – Housing (New):

- A. Harry Reynolds representing Tim Maloney, owner – 104 Unit A & B High School Road, Hyannis, one (1) variance from ceiling height.

Harry Reynolds was present and explained the house was built in the 1890's. The house has the original ceiling and it does not meet the standard code. It is too low.

Mr. McKean said the staff is comfortable with the approval of the ceiling height. The living area and the bedroom(s) have a ceiling height of 6'9" which is greater than the 6'8" state regulation. The bathroom ceiling is only 6'2".

Upon a motion duly made by Dr. Canniff, seconded by Dr. Miller, the Board voted to approve the variance of the ceiling height to accept the existing dwelling. (Unanimously, voted in favor.)

II. Septic Variance (Cont.):

- POSTPONED TO APRIL 14** A. Michael Ford representing Michael and Gisa Belanger, owner – 100 Cross Street, Cotuit, Map/Parcel 033-032, 0.9 acre lot, four (4) variances for repair (continued from Oct and Dec 2008)

The Board asked that Mr. Ford be informed to appear at the next meeting even if just to give the status.

- B. Stephen Haas, Eagle Surveying, representing Joyce Wheeler, Judith Deveney and Jeff Wheeler, owners – 120 Main Street, Centerville, M/P 208-058, 29,000 square foot lot - five (5) variances requested. (continued from February 2009)

Stephen Haas said they have submitted the plan to MA DEP as it was determined that a separate approval from them is required. The revised plan specifies a 2-bedroom plan

versus the 3-bedroom to further note that they intent is to limit the use to a 2-bedroom parcel.

Upon a motion duly made by Dr. Canniff, seconded by Dr. Miller, the Board voted to approve the variances on the plan dated 1/21/09 and signed 2/20/09 with the following condition: a two-bedroom deed restriction be recorded at the Registry of Deeds and a proper copy be supplied to the Public Health Division. (Unanimously, voted in favor.)

III. Old Business/New Business:

- A. Clarification of Requirements and Deadlines Regarding the Installation of Touchless Faucets and /or Hands-free Sinks at all Food Service Establishments.

Mr. Columbo, Hyannis BID, was present. He did not recall a time frame of touchless faucets for public toilets having a deadline of 5 years.

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Canniff , the Board voted to approve the regulation as proposed by Mr. McKean. (Unanimously, voted in favor.)

*Dr. Canniff commented he does not prefer to extend the deadline to the public toilets to be 5 yrs.

- B. Variances for Septic Repairs Which May Be Immediately Granted by Board of Health Agent or by a Health Inspector

Dr. Miller suggests the removal of the word “immediately”. He suggests there be some type of protocol for how to handle difficult plans, i.e., having multiple people review the plan.

All were in agreement to eliminate the word “immediate”.

The current policy allows the Health Inspectors to approve variances at the counter in four situations. The proposal is to modify #1 to allow staff to approve setback variances from the foundation for new additions / construction as long as there is no increase in flow.

Dr. Canniff and Dr. Miller both expressed a desire to have the inspectors be allotted more opportunity to review the plans. The policy is to have the inspectors approve at the counter the same day as much as possible.

The Board requests, prior to the meetings, all septic applications being brought before the Board be processed against the 3-4 page checklist the inspectors now have. The Board is willing to change the requirement of all paperwork being submitted to the Board 10 days prior to meeting date to 15 days, if necessary.

Dr. Miller suggested that Dr. Canniff, Thomas Geiler, Thomas McKean, and himself meet and have a discussion of the approval process.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve the proposed revisions, also with the adjustment to the name of the regulation "Variances for Septic Repairs Which May Be Granted by Board of Health Agent or by a Health Inspector". (Unanimously, voted in favor.)

C. Proposed Fee Schedule Revisions

Propose \$25 fee for multiple rental units in the same building by the same owner, increase to \$45. The standard fee of \$90 will continue to be in effect for the initial unit at the property by the owner.

Dr. Miller suggests that we should notify the engineers of our complete list and state that plans will be rejected and charged an additional fee to resubmit for review of \$50.

The Board voted to approve all the fees.